

RAVERT PLLC

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: _____

(646) 961-4770

October 9, 2017

Via Overnight Mail and ECF

Hon. Katherine B. Forrest
United States District Judge
United States District Court for the Southern District of New York
United States Courthouse
40 Foley Square
New York, NY 10007

Re: Bankruptcy Appeal: Civ. Case Nos.: 17-cv-07199-KBF and 17-cv-07184-KBF, from *In Re The First Union Baptist Church of Bronx*, USBC-SDNY, 12-B-14099 (MEW) and Associated Bankruptcy Adversary Proceeding *The First Union Baptist Church of Bronx*, plaintiff, v. TD Capital Group LLC and 2064 Grand Concourse LLC, Defendants, Adv. Pro. 16-01065 (MEW). REQUEST TO DESIGNATE LEAD CASE FOR FILING PURPOSES

Dear Judge Forrest,

This firm represents Appellants TD Capital Group LLC and 2064 Grand Concourse LLC (“Appellants”) in the above-referenced bankruptcy appeals. Although there are two associated appeals with different case numbers (17-cv-07199-KBF and 17-cv-07184-KBF), Appellants appeal from only a single decision and order that was entered in both the main bankruptcy case, 12-14099 (MEW) and the associated adversary proceeding 16-01065 (MEW). Appellants filed two notices of appeal because the underlying ruling was entered in both the main case and the adversary proceeding and, thus, felt obliged to appeal both. The two appeals created two civil actions concerning appeal of a single ruling. Appellants respectfully request that, to avoid confusion and duplicative filings, all filings concerning this appeal be made in a lead case to be designated by the Court, either 17-cv-07199-KBF and 17-cv-07184-KBF.

We thank your Honor for your considerations in this regard.

Respectfully,

/s/ Gary O. Ravert

Gary O. Ravert

Cc: Via ECF and email: Appellant's Counsel

Ordered

17 cv 07184 is
hereby designated as
the lead case for
both itself & 17 cv 7199.
All filings for both
actions shall refer to
17 cv 7184 (as lead
case) and 17 cv 7199.

(CJ:JF)10/11/17